

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Waitl et al.	Art Unit :	2891
Patent No. :	7,005,311	Examiner :	David Zarneke
Issue Date :	February 28, 2006		
Serial No. :	10/723,928		
Filed :	November 26, 2003		
Title :	TWO-POLE SMT MINIATURE HOUSING FOR SEMICONDUCTOR COMPONENTS AND METHOD FOR THE MANUFACTURE THEREOF		

Attn.: Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF REQUEST FOR CERTIFICATE OF CORRECTION

Applicant hereby requests that a certificate of correction be issued for the above patent in accordance with the attached request.

One or more of the errors sought to be corrected were made by applicant. The fees in the amount of \$100 to cover the required fee of 37 CFR §1.20(a) are being paid concurrently on the Electronic Filing System (EFS) by way of Deposit Account authorization.

Specifically, we request that claim 6 be corrected to depend from independent claim 5, instead of independent claim 1. We submit that this is a minor error suitable for correction by a Certificate of Correction. Notably, claim 6 further specifies that "the filling material comprises a casting composition." However, independent claim 1 does not refer generally to a filling material, but instead already specifies a casting with a casting resin (see, 4:4-5 of the issued patent). On the other hand, independent claim 5 does generally refer to "a filling material" (see, 4:44 of the issued patent.) Thus, it should be clear that claim 6 was intended to depend from independent claim 5, not independent claim 1.

Courts have held that similar claim errors can be corrected by a Certificate of Correction. For example, in Thomas & Betts Corp. v. Burdy Corp., 1989 WL 30440 (D.N.J.), the Court affirmed a Certificate of Correction issued by the Patent Office under 35 U.S.C. § 255 that amended certain claims to replace "second cable" with "first cable" because otherwise various dependent claims would be "non sequiturs." 1989 WL 30440 at 2. Similarly, in Hofer v.

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: September 13, 2007

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Page : 2 of 2

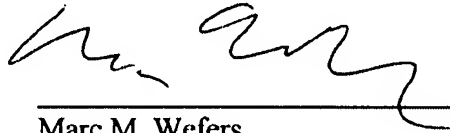
Attorney's Docket No.: 12406-081003 / 1993P1722 US
N4

Microsoft Corp., 405 F.3d 1326 (Fed. Cir. 2005), the Federal Circuit held that it was proper to obtain a Certificate of Correction to correct a claim dependency that was clearly in error. Specifically, in Hofer, the Certificate of Correction corrected a claim that as issued depended from a non-existent claim. 405 F.3d. at 1331.

Please apply any charges or credits to Deposit Account No. 06-1050, referencing 12406-081003.

Respectfully submitted,

Date: 9/13/07



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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 7,005,311
APPLICATION NO : 10/723,928
DATED : FEBRUARY 28, 2006
INVENTOR(S) : GUNTHER WAITL, FRANZ SCHELLHORN AND HERBERT BRUNNER

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 4

Line 42, Claim 6, delete "according to claim 1" and insert --according to claim 5--

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